the Paperwork Reduction Act of 1995.

PTO/SB/21 (09-04)
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	FILE Date	
	Application Number	10/008,463
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TRANSMITTAL **FORM** 

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

15

Filing Date November 9, 2001 First Named Inventor Neff, et al. Art Unit 2633 **Examiner Name** Dalzid E. Singh Attorney Docket Number 71703/7293

ENCLOSURES (Check all that apply)											
Fee	Transmittal Form (2 p	gs.)	Drawing(s)  Licensing-related Papers				After Allowance Communication to  Appeal Communication to Board of Appeals and Interferences				
Exte	After Final Affidavits/declaration ension of Time Request ress Abandonment Request mation Disclosure State (2 pgs	uest ement		Petition  Petition  Petition to Convert to a Provisional Application  Power of Attorney, Revocation Change of Correspondence Address  Terminal Disclaimer  Request for Refund  CD, Number of CD(s)  Landscape Table on CD  Appeal Communication (Appeal Notice, Brief, R  Proprietary Informatio  Status Letter  Other Enclosure(s) (pi below):  1) Form PTO-1449 (10 pgs. 2) (10) Foreign Patent Docu 3) (42) Non-patent Literature 4) Return Receipt Postcard.							
Docu Repl	ified Copy of Priority ument(s)  ly to Missing Parts/ mplete Application Reply to Missing Part under 37 CFR 1.52		Rem		No. 22242						
		SIGNAT	TURE	OF APPLICANT, ATT	ORNEY, C	R AG	ENT				
Firm Name	Fitch, Even, Tabi	n & Flann	iery								
Signature	A										
Printed name	e Kurt M. Eaton										
Date July 26, 2005 Reg. No. 51,640											
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Typed or prin	nted name Kurt M. I	Eaton					Date	July 26, 2005			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004. Complete if Known Fees pursuant to the Consolidated/Appropriations Act, 2005 (H.R. 4818). **Application Number** 10/008,463 FEE TRANSMITTAL November 9, 2001 Filing Date **FOR FY 2005** First Named Inventor Neff, et al. Express Mail Label No. **Examiner Name** Dalzid E. Singh Art Unit 2633 Applicant Claims small entity status. See 37 CFR 1.27 TOTAL AMOUNT OF PAYMENT (\$)180.00 71703/7293 Attorney Docket No.

METHOD OF PAYMENT (Check all that apply)								
Check Credit Card Money Order Other (please identify):  Deposit Account Number: 06-1135 Deposit Account Name: Fitch, Even, Tabin & Flannery								
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)								
Charge Fee(s) indicated below Charge Fee(s) indicated below, except for the filing fee								
Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments under 37 CFR 1.16 and 1.17								
	rmation on this for and authorization o		lic. Credit car	d information sho	uld not be inc	luded on this for	n. Provide credit	
FEE CALCULA	TION							
1. BASIC FILIN	G FEE, SEARCH,							
Application To		ILING FEES  Small Entity		RCH FEES Small Entity		ATION FEES	Food Boid (\$)	
Application Type	Fee (\$	Fee (\$)	169 (4)	Fee (\$)	<u>Fee (\$)</u>	Small Entity Fee (\$)	Fees Paid (\$)	
Utility	300	150	500	250	200	100		
Design	200	100	100	50	130	65		
Plant	200	100	300	150	160	80		
Reissue	300	150	500	250	600	300		
Provisional	200	100	0	0	0	0	·	
2. EXCESS CLA	AIM FEES						Constitution	
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	r of independent claims							
3. APPLICATIO								
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) For each additional 50 sheets or fraction thereof. See 35 U.S. C. 41(a)(1)(G) and 37 CFR 1.16(s).								
Total Sheets	Extra	Sheets	Number of e	each additional 50	or fraction the	ereof Fee (S	Fee Paid (\$)	
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4. OTHER FEE(	S)						Fee Paid (\$)	
Non-English Specification, \$130 fee (no small entity discount) \$0.00								
Other: Submission of an Information Disclosure Statement (Fee Code: 1806; 37 CFR 1.17(p)) \$180.00								
SUBMITTED BY								
Signature	H	<u> </u>		Registration No. (Attorney/Agent	51,640	Telephone	(858)552-1311	
Name (Print/Type)	Kurt M. Eaton					Date July	26, 2005	

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED DORMS TO THIS ADDRESS. SENT TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



## THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Neff, et al.

Application No.: 10/008,463

Filed: November 9, 2001

For: FREE-SPACE OPTICAL

**COMMUNICATION SYSTEM** 

Group Art Unit: 2633

Examiner: Dalzid E. Singh

07/29/2005 SSITHIB1 00000031 061135 10008463

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July 26, 2005

Date Kurt M. Eaton

Registration No. 51,640 Patent Agent for Applicants

## INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This Information Disclosure Statement is submitted:

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X under 37 CFR §1.97(c) together with either:

\_\_\_\_ a statement under 37 CFR §1.97(e), or X a \$180 fee under 37 CFR §1.17(p)

(after the 37 CFR §1.97(b) time period, but before the mailing date of a final Action, a Notice of Allowance, or an action that otherwise

closes prosecution).

IDS Application No. 10/008,463 Page 2

under 37 CFR §1.97(d) together with:
a statement under 37 CFR §1.97(e), and
a \$180 fee under 37 CFR §1.17(p)
(after the 37 CFR §1.97(c) time period, but on or before payment of
the issue fee).

In accordance with the duty of disclosure imposed by 37 CFR § 1.56 to inform the Patent Office of all patents, publications, applications and other information known by Applicants or Applicants' representative that may be material to the examination of the subject application, Applicants' representative hereby provides this Information Disclosure Statement that is prepared in accordance with 37 CFR §§ 1.97-1.98 and includes Form PTO-1449 with one-hundred sixty-four (164) references listed as items AA-GH.

It is requested that the information provided herein be made of record in this application.

Respectfully submitted,

Dated: July 26, 2005

Kurt M. Eaton

Patent Agent for Applicants

Reg. No. 51,640 (858) 552-1311

Address all Correspondence to:

FITCH, EVEN, TABIN & FLANNERY 120 So. LaSalle Street Suite 1600 Chicago, IL 60603 (858) 552-1311 Form PTO-1449 (Modified)

## INFORMATION DISCLOSURE CITATION IN AN APPLICATION

Application No.	10/008,463
Filing Date	November 9, 2001
First Named Inventor	Neff, et al.
Group Art Unit	2633
Examiner Name	Dalzid E. Singh
Attorney Docket No.	71703/7293

Sheet 1 of 10

	U.S. PATENT DOCUMENTS								
EXAMINER INITIALS*	CITE NO.	COPY NOT ENCLOSED PER 37 CFR §	U.S. PATEN DOCUMEN		NAME OF INVENTOR OR APPLICANT	DATE OF ISSUANCE OR PUBLICATION	CLASS	SUB CLASS	FILING DATE (MM-DD-YYYY)
	CITE	1.98(a)(2)(ii)	PATENT, PUB., OR APP. NO.	KIND CODE (if known)		(MM-DD-YYYY)	CL'	SUBC	
	AA	х	09/823,175		Willebrand et al.	03-15-2005			
	AB	х	3488586		Watrous et al.	01-06-1970			
	AC	х	3967899		O'Meara	07-06-1976			
	AD	х	4060769		Mallozzi et al.	11-29-1977			
	AE	х	4330870		Arends	05-18-1982			
	AF	х	4428647		Sprague et al.	01-31-1984			
	AG	х	4630254		Tseng	12-16-1986			
	АН	х	4639586		Fender et al.	01-27-1987			
	ΑI	х	4689482		Horikawa et al.	08-25-1987			
	AJ	х	4717913		Elger	01-05-1988			
	AK	х	4757268		Abrams et al.	07-12-1988			
	AL	х	4761059		Yeh et al.	08-02-1988			
	AM	х	4773063		Hunsperger	09-20-1988			
	AN	х	4794345		Linford et al.	12-27-1988			
	AO	x	4807222		Amitay	02-21-1989			
	AP	х	4823357		Casey	04-18-1989			
	AQ	х	4826269		Streifer et al.	05-02-1989			
	AR	х	4904993		Sato	02-27-1990			
	AS	х	4916460		Powell	04-10-1990			
	AT	х	4922502		Unterrahrer et al.	05-01-1990			

Form PTO-1449 (Modified)	Application No.	10/008,463			
INFORMATION DISCLOSURE	Filing Date	November 9, 2001			
CITATION IN AN APPLICATION	First Named Inventor	Neff, et al.			
	Group Art Unit	2633			
	Examiner Name	Dalzid E. Singh			
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EXAMINER INITIALS*	CITE NO.	COPY NOT ENCLOSED PER 37 CFR §	U.S. PATEN DOCUMEN		NAME OF INVENTOR OR APPLICANT	DATE OF ISSUANCE OR PUBLICATION	CLASS	SUB CLASS	FILING DATE (MM-DD-YYYY)
	CITE	1.98(a)(2)(ii)	PATENT, PUB., OR APP. NO.	KIND CODE (if known)		(MM-DD-YYYY)	CF	SUB	
	AU	х	4932775		Wissman et al.	06-12-1990			
	AV	х	4975926		Knapp	12-04-1990			
	AW	х	5005937		Aida et al.	04-09-1991			
	AX	х	5019768		Criswell et al.	05-28-1991			
	AY	х	5034997		Iwasaki	07-23-1991			
	AZ	х	5068916		Harrison et al.	11-26-1991			
	ВА	х	5083874		Aida et al.	01-28-1992			
· · · · · · · · · · · · · · · · · · ·	ВВ	х	5142400		Solinsky	08-25-1992			
	ВС	х	5185758		Fan et al.	02-09-1993			
	BD	х	5185814		Healey	02-09-1993			
	BE	х	5200631		Austin et al.	04-06-1993			
	BF	х	5210631		Huber et al.	05-11-1993			
	BG	х	5218356		Knapp	06-08-1993			
	ВН	х	5218467		Ross et al.	06-08-1993			
	BI	х	5221983		Wagner	06-22-1993			
· · ·	BJ	х	5223781		Criswell et al.	06-29-93			
	вк	х	5227906		Tokumitsu	07-13-1993			
	BL	х	5247381		Olmstead et al.	09-21-1993			
	BM	х	5267010		Kremer et al.	11-30-1993			
	BN	х	5280184		Jokerst, et al.	01-18-1994			
	во	х	5301054		Huber et al.	04-05-1994			

Form PTO-1449 (Modified)	Application No.	10/008,463			
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CITATION IN AN APPLICATION	First Named Inventor				
	Group Art Unit	2633			
	Examiner Name	Dalzid E. Singh			
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EXAMINER INITIALS*	CITE NO.	COPY NOT ENCLOSED PER 37 CFR §	U.S. PATEN DOCUMEN		NAME OF INVENTOR OR APPLICANT	DATE OF ISSUANCE OR PUBLICATION	CLASS	SUB CLASS	FILING DATE (MM-DD-YYYY)
	CITE	1.98(a)(2)(ii)	PATENT, PUB., OR APP. NO.	KIND CODE (if known)		(MM-DD-YYYY)	CL,	SUB (	
	BP	х	5311535		Karpinski	05-10-1994			
	BQ	х	5321718		Waarts, et al.	06-14-1994			
	BR	х	5329576		Handforth	07-12-1994			
	BS	х	5331449		Huber et al.	07-19-1994			
	ВТ	х	5353294		Shigeno	10-04-1994			
	BU	х	5359446		Johnson et al.	10-25-1994			
	BV	х	5371734		Fischer	12-06-1994			
	BW	х	5377219		Geiger	12-27-1994			
	BX	х	5384652		Allen et al.	01-24-1995			
	BY	х	5394489		Koch	02-28-1995			
	BZ	х	5400166		Huber	03-21-1995			_
	CA	х	5410147		Riza et al.	04-25-1995			
	СВ	х	5416861		Koh, et al.	05-16-1995			
	СС	х	5416864		Cassidy et al.	05-16-1995			
	CD	х	5443227		Hsu	08-22-1995			_
	CE	х	5452124		Baker	09-19-1995			
	CF	х	5457561		Taneya et al.	10-10-1995			
	CG	х	5457562		Tremblay	10-10-1995			
	СН	х	5465170		Arimoto	11-07-1995			
	CI	х	5475520		Wissinger	12-12-1995			
	CJ	х	5949563		Takada	09-07-1999			

Form PTO-1449 (Modified)	Application No.	10/008,463			
INFORMATION DISCLOSURE	Filing Date	November 9, 2001			
CITATION IN AN APPLICATION	First Named Inventor	Neff, et al.			
	Group Art Unit	2633			
	Examiner Name	Dalzid E. Singh			
Sheet 4 of 10	Attorney Docket No.	71703/7293			

			U.S. PA	TENT :	DOCUMENTS	S			
EXAMINER INITIALS*	CITE NO.	COPY NOT ENCLOSED PER 37 CFR §	U.S. PATEN DOCUMEN		NAME OF INVENTOR OR APPLICANT	DATE OF ISSUANCE OR PUBLICATION	CLASS	SUB CLASS	FILING DATE (MM-DD-YYYY)
	CITE	1.98(a)(2)(ii)	PATENT, PUB., OR APP. NO.	KIND CODE (if known)		(MM-DD-YYYY)	CL	SUB (	
	CK	x	5949564		Wake	09-07-1999			
**	CL	x	5966229		Dodley et al.	10-12-1999			
	СМ	x	5978118		Flaherty	11-02-1999			
	CN	x	5983068		Tomich et al.	11-09-1999			
	со	x	5995253		Flaherty	11-30-1999			
	СР	x	6014236		Flaherty	01-11-2000			
	CQ	х	6016212		Durant et al.	01-18-2000			
	CR	х	6043918		Bozzay et al.	03-28-2000			
	CS	х	6049593		Acampora	04-11-2000			
	СТ	х	6104513		Bloom	08-15-2000			
	CU	х	6115157		Barnard, et al.	09-05-2000			
	CV	х	6122084		Britz et al.	09-19-2000			
	CW	х	6141128		Korevaar, et al.	10-31-2000			
	CX	х	6219363		Fix et al.	04-17-2001			
	CY	х	6259552		Botti et al.	07-10-2001			
	CZ	x	6268944		Szapiel	07-31-2001			
	DA	х	6272271		Wojnarowski, et al.	08-07-2001			
	DB	х	6285481		Palmer	09-04-2001			
	DC	х	6288813		Kirkpatrick, et al.	09-11-2001			
	DD	х	6301037		Fischer, et al.	10-09-2001			

Form PTO-1449 (Modified)	Application No.	10/008,463		
INFORMATION DISCLOSURE	Filing Date	November 9, 2001 Neff, et al.		
CITATION IN AN APPLICATION	First Named Inventor			
	Group Art Unit	2633		
	Examiner Name	Dalzid E. Singh		
Sheet 5 of 10	Attorney Docket No.	71703/7293		

			U.S. PA	TENT I	DOCUMENTS	 S			
EXAMINER INITIALS*	CITE NO.	COPY NOT ENCLOSED PER 37 CFR §	U.S. PATEN DOCUMEN		NAME OF INVENTOR OR APPLICANT	DATE OF ISSUANCE OR PUBLICATION	CLASS	SUB CLASS	FILING DATE (MM-DD-YYYY)
	CITE	1.98(a)(2)(ii)	PATENT, PUB., OR APP. NO.	KIND CODE (if known)		(MM-DD-YYYY)	CT	SUB (	
	DE	x	6323980		Bloom	11-27-2001			
	DF	х	6330104		Kim et al.	12-11-2001			
	DG	х	6347174		Onishi et al.	02-12-2002			
	DH	х	6348986		Doucet, et al.	02-19-2002			
	DI	x	6396612		Bjorndahl	05-28-2002		_	
	DJ	х	6398425		Williams, et al.	06-04-2002			
	DK	х	6411414		Abate, et al.	06-25-2002			
	DL	х	6452700		Mays, Jr.	09-17-2002			
	DM	х	6462847		Willebrand	10-08-2002			
	DN	х	6493121		Althaus	12-10-2002			
	DO	х	6509992		Goodwill	01-21-2003			
	DP	х	6532087		Ransford et al.	03-11-2003			
	DQ	х	6583904		Mahlab et al.	06-24-2003			
	DR	x	6798795		Yoo	09-28-2004			
	DS	х	09/482,782		Willebrand et al.	07-13-2004			
	DT	х	09/849,613		Willebrand et al.	03-15-2005			
	DU	x	2002/0005972		Bloom, et al.	01-17-2002			
	DV	х	2002/0012139		Willebrand, et al.	01-31-2002			
	DW	х	2002/0048066		Antoniados et al.	04-25-2002			

Form PTO-1449 (Modified)	Application No.	10/008,463
INFORMATION DISCLOSURE	Filing Date	November 9, 2001
CITATION IN AN APPLICATION	First Named Inventor	Neff, et al.
	Group Art Unit	2633
	Examiner Name	Dalzid E. Singh
Sheet 6 of 10	Attorney Docket No.	71703/7293

	U.S. PATENT DOCUMENTS											
EXAMINER INITIALS*	CITE NO.	NO.	NO.	NO.	COPY NOT ENCLOSED PER 37 CFR §	U.S. PATENT DOCUMENT		NAME OF INVENTOR OR APPLICANT	DATE OF ISSUANCE OR PUBLICATION	CLASS	CLASS	FILING DATE (MM-DD-YYYY)
	CITE	1.98(a)(2)(ii)	PATENT, PUB., OR APP. NO.	KIND CODE (if known)		(MM-DD-YYYY)	כרי	SUB (				
	DX	х	2002/0051269		Margalit et al.	05-02-2002						
	DY	х	2002/0054411		Heminger et al.	05-09-2002						
	DZ	х	2002/0054413		Shivnan	05-09-2002						
	EA	х	2002/0075542		Kumar et al.	06-20-2002						
	ЕВ	х	2002/0122230		Izadpanah, et al.	09-05-2002						
	EC	x	2002/0122232		Doucet, et al.	09-05-2002						
	ED	х	2002/0141020		Doucet, et al.	10-03-2002						
	EE	х	2002/0149811		Willebrand	05-03-2005						
	EF	х	2002/0167697		Willebrand	11-14-2002						
	EG	<b>x</b> .	2002/0171896		Clark, et al.	11-21-2002						
	ЕН	х	RE35736		Powell	02-24-1998						

	FOREIGN PATENT DOCUMENTS												
EXAMINER INITIALS*		COPY NOT ENCLOSED	FOREIC	IN PATENT DOCU	DATE OF PUBLICATION		ASS	TRANSL	ATION				
	TE NO.	PER 37 CFR § 1.98(d)						占	YES	МО			
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	EI		GB	2 228 385	Α	8/22/1990			X				
	EJ		DE	4433896	С	9/11/1995			Х				
	EK		EP	0 378 148	B1	4/10/1996			Х				
	EL		EP	0 513 993	A2	11/19/1992			Х				
	ЕМ		GB	2 221 810	A	2/14/1990			X				

Form PTO-1449 (Modified)	Application No.	10/008,463
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CITATION IN AN APPLICATION	First Named Inventor	Neff, et al.
	Group Art Unit	2633
	Examiner Name	Dalzid E. Singh
Sheet 7 of 10	Attorney Docket No.	71703/7293

	FOREIGN PATENT DOCUMENTS												
EXAMINER INITIALS*	CITE NO.	COPY NOT ENCLOSED PER 37 CFR § 1.98(d)	FOREIC	N PATENT DOCUMENT		DATE OF PUBLICATION (MM-DD-YYYY)	ASS	CLASS	TRANSL YES	NO			
	CIT	, ,	COUNTRY OR OFFICE (two-letter code)	DOCUMENT NO.	KIND CODE (if known)		CL	SUB					
	EN		GB	2 257 321	A	1/6/1993			х				
	ЕО		JР	S63-215125		7/7/1988			х				
	EP		wo	00/08783		2/17/2000			х				
	EQ		wo	01/52450	A2	7/19/2001			х				
	ER		wo	98/32250		7/23/1998			X				

	ОТНІ	ER DOCU	JMENTS NON PATENT LITERATURE DOCUMENTS
EXAMINER INITIALS*	CITE NO.	COPY NOT ENCLOSED PER 37 CFR § 1.98(d)	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	ES		A. BELMONTE, et al.; "Performance of a Multiple-Aperture Optical System"; Society of Photo-Optical Instrumentation Engineers, vol. 2699; 1996; pp. 316-326.
	ET		A. LOURI et al.; "Feasibility Study for a Scalable Optical Interconnection Network for Massively Parallel Processing Systems"; Applied Optics, Vol. 35, No. 8; pp. 1296-1308 (March 10, 1996).
	EU		A. S. ACAMPORA; "A Multichannel Multihop Local Lightwave Network"; GLOBECOM '87; IEEE; pp. 1459-1467, (1987).
	EV		A. S. ACAMPORA; "The Scalable Lightwave Network"; IEEE Communications Magazine; pp. 36-42 (December 1994).
	EW		C. BRACKETT et al; "A Scalable Multiwavelength Multihop Optical Network: A Proposal for Research on All-Optical Networks"; Journal of Lightwave Technology, Vol. 11, No. 5/6; pp. 736-753, (May/June 1993).
	EX		C. M. STICKLEY et al.; Demonstration of an Adaptive, Coherent-Combining Laser Radar Receiver; 18.sup.th International Laser Radar Conference; 1996; pp. 247-250.
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CITATION IN AN APPLICATION	First Named Inventor	Neff, et al.
	Group Art Unit	2633
	Examiner Name	Dalzid E. Singh
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	OTHI	ER DOCU	JMENTS NON PATENT LITERATURE DOCUMENTS
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	FP		K. KIMURA et al.; "Global Satellite Communication Network using Double-Layered Inclined Orbit Constellation with Optical Inter-Satellite Links"; ATR Optical and Radio Communications Research Laboratories, Kyoto, Japan; SPIE; vol. 2699; 1996; pp. 12-23.
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	GB		PCT International Preliminary Examining Authority; "Notification of Transmittal of the International Preliminary Examination Report"; "PCT International Preliminary Examination Report" for International Application No. PCT/US01/14547 which corresponds to U.S. Appl. No. 09/849,613; mailed Dec. 5, 2003; (6 pages).			
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Examiner Signature Date Considered
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<sup>\*</sup>EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.